

MEDICAL MARIJUANA IN THE STATE OF OHIO

The State of Ohio passed House Bill 523 the "Medical Marijuana Control Program" law in 2016, establishing a multi-year plan to adopt comprehensive regulations regarding the cultivation, processing, dispensing, testing, recommending, and use of medical marijuana in Ohio.

IMPORTANT HIGHLIGHTS OF THE NEW LAW

These are four categories of medical marijuana entities:

CULTIVATOR

grows the medical marijuana plant and must be in a secure, indoor facility.

PROCESSOR

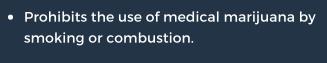
processes the raw plant into a medical product for patient use. Forms allowed by Ohio law: oils, tinctures, plant material, edibles and patches. The law prohibits any form that is attractive to children.

RETAIL DISPENSARY

dispenses the product to patients with a legal physician recommendation, similar to a pharmacy.

TESTING LABORATORY

undertakes scientific and medical research regarding marijuana.



- Prohibits a cultivator, processor, retail dispensary, or laboratory from being located within 500 feet of a school, church, public library, public playground, or public park.
- Requires qualified physicians to obtain a "certificate to recommend" medical marijuana from the State Medical Board of Ohio in order to recommend medical marijuana to patients.
- Allows certified physicians to issue recommendations for medical marijuana to patients to treat one of the following qualifying medical conditions:

(subject to addition by the State Medical Board)

- amyotrophic lateral sclerosis
- Alzheimer's disease.
- cancer.
- chronic traumatic encephalopathy,
- Crohn's disease,
- epilepsy or another seizure spinal cord disease or disorder,
- fibromyalgia,
- alaucoma.
- hepatitis C.
- inflammatory bowel disease.

- multiple sclerosis,
- pain that is either chronic and severe or intractable.
- Parkinson's disease,
- positive status for HIV,
- post-traumatic stress disorder,
- sickle cell anemia,
- injury,
- Tourette's syndrome,
- traumatic brain injury,
- ulcerative colitis.



HOW THE NEW OHIO LAW WILL IMPACT RESIDENTS AND BUSINESSES:

- Medical marijuana will provide relief to patients suffering from serious illnesses.
- Employers in Ohio can still maintain zerotolerance drug policies and unemployment compensation can be denied to individuals terminated for the use of medical marijuana.
- Landlords cannot reject or evict a tenant based solely or primarily on the tenant's status as a marijuana patient, unless required by federal law.
- Medical marijuana transactions must be reported, but patient information is confidential.

MEDICAL MARIJUANA IN THE CITY OF AKRON

On September 12, 2016, Mayor Horrigan proposed and Akron City Council passed a moratorium on all medical marijuana operations in the City of Akron until such time as the City could implement a comprehensive and restrictive plan for zoning and licensing of such facilities in the City.

HOW IS THE CITY OF AKRON PROPOSING TO REGULATE MEDICAL MARIJUANA IN AKRON?

THE CITY WILL CONTINUE TO ENFORCE EXISTING CRIMINAL LAWS PROHIBITING:

- The use or possession of marijuana by individuals who do not possess a valid recommendation to use/possess medical marijuana under the state law.
- Driving while impaired by drugs, including marijuana.
- The illegal sale or purchase (trafficking) of drugs, including marijuana.

THE CITY WILL PASS NEW LOCAL LAWS THAT WILL HEAVILY REGULATE MEDICAL MARIJUANA FACILITIES IN AKRON:

- Prohibit any medical marijuana facility from locating within 500 feet of a school, church, public park, public playground, or public library.
- **Prohibit** medical marijuana facilities in any **traditional** residential zone.
- Require all medical marijuana facilities to obtain a conditional use permit from Akron City Council before locating in the City. Council can deny a conditional use to any medical marijuana facility that would negatively impact the safety or economic welfare of the neighborhood or the City.
- Require all medical marijuana facilities to cooperate with the Akron Police Department and the City regarding security, inspections, etc.
- Implement a **comprehensive City licensing** program for all medical marijuana facilities and to collect fees.

For more information, visit: www.medicalmarijuana.ohio.gov/



AUTHORITY OF CITIES UNDER THE OHIO MEDICAL MARIJUANA LAW:

- The State of Ohio grants cities broad authority to regulate the location, number, and licensing of medical marijuana entities in their community.
- The City of Akron cannot prohibit the legal use or possession of medical marijuana by registered patients or caregivers in their City.
- The City of Akron cannot prohibit physicians from legally recommending medical marijuana to patients in their City.

WHEN WILL THESE CHANGES TAKE PLACE?

- Under the new Ohio law, medical marijuana must be available for licensed patients by September 2018.
- Over the next year and a half, prospective medical marijuana facilities will compete for a limited number of state operating licenses, and if seeking a location within Akron, will need to comply with zoning and licensing requirements before opening for business.